POTTER ANDERSON & CORROSON LLP

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## PACSIMILE TRANSMITTAL SITEET

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CAROL BIDWELL

United States Patent & Trademark

1-703-305-2919

1-703**-3**08-6455

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FROM:

PHONE NUMBER:

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EMAIL:

Suzanne Gannon

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24555-001

S. Gannon

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NOTES/COMMENTS:

Carol:

Attached is the Petition under 37 C.F.R. 1.10 (c), Exhibits A-F and a Certificate of Transmission.

Please let me know if there is anything further needed.

Thanks again for all your help.

Suzanne Gannon

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY OUT IN THE ABOVE ADDRESS NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

PTO/SB/97 (08-00)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
U.S. DEPA

Applicant: Kunio Sekiya

Attorney Docket No. 24555-001

Serial Number: 09/486,483 (originally 09/806,021)

Filed: March 23, 2001

Title: : POLLUTION PREVENTION METHOD FOR CANVAS USED IN PAPER

MACHINE

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

October 11, 2001 on

Date

Suzanne M. Gannon

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

- 1. Facsimile Cover Sheet (1 page)
- 2. PETITION TO ACCORD CORRESPONDENCE FILING DATE SHOWN ON EXPRESS MAIL LABEL "DATE-IN" (37 C.F.R. § 1.10(c)) (3 pages)
- 3. Exhibits A F (10 pages)

Total pages faxed including this certificate of transmision cover sheet - 15 pages.

Attorney Docket No.: 24555-001

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kunio Sekiya

Serial No. 09/486,483 (originally 09/806,021)

Filed: March 23, 2001

For: POLLUTION PREVENTION METHOD FOR CANVAS USED IN PAPER MACHINE

Art Unit: 1178

Examiner: Unknown

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

# PETITION TO ACCORD CORRESPONDENCE FILING DATE SHOWN ON EXPRESS MAIL LABEL "DATE-IN" (37 C.F.R. § 1.10(c))

This is a Petition to accord the correspondence in the above-identified patent application the "date in" of March 23, 2001 as was indicated on the Express Mail label No. EJ229640116US. It is respectfully contended that the date of April 4, 2000 accorded this correspondence by the PTO is incorrect. Listed below are the statements of fact as to facts supporting when the discrepancy was discovered, that the error was the fault of the PTO, and establishing that this petition is being filed promptly thereafter. 37 CFR § 1.10 (c) (1):

- On March 23, 2001, our Patent Administrator, Ms. Gannon filed by Express Mail No. EJ229640116US the above-identified patent application. (See Exhibit A)
- On May 2, 2001, Ms. Gannon called the USPTO Information Number requesting status on the above-mentioned application and was informed that the application was not on the system yet, but the fees for the application had

been taken out of the Deposit Account. The delay was explained as possibly due to training the new contractors.

- 3. On May 7, 2001, Donna Green, supervisor for PCT left a voice mail message to Ms. Gannon requesting copy of the postcard and transmittal form. A true copy of the postcard and transmittal were faxed to Ms. Green. (See Exhibit B)
- 4. On May 15, 2001, Ms. Green informed Ms. Gannon that the PTO was unable to find the application and to fax a copy of the missing application to her attention. Ms. Green further informed Ms. Gannon that she was going to cancel out the first application number 09/806,021 and issue a new application number. On May 15, 2001 a true copy of the above subject application was faxed to Ms. Green's attention. (See Exhibit C)
- On May 16, 2001 a Notice of Cancellation of Assigned Serial Number was issued from the PTO. (See Exhibit D).
- 6. On August 1, 2001 a Notification of Acceptance was issued in the subject application with an incorrect Date of Receipt of April 4, 2000 and an incorrect Date of Receipt for "all 35 U.S.C. 371 Requirements of April 4, 2000."

  Subsequent to this the Official Filing Receipt was accorded the incorrect filing date of April 4, 2000. (See Exhibits E and F).

Therefore, Applicants respectfully request that the subject application be accorded the filing date of March 23, 2001.

Since the errors appear to be on the part of the United States Patent Office, no petition fee should be required. Should the PTO determine that Applicants are at fault the Commissioner is hereby authorized to charge the Petition Fee in the amount of \$130.00 to Deposit Account No. 501447. The Commissioner is also authorized to charge any

Attorney Docket No. 24555-001

additional fees required by this paper or credit any overpayment to the Deposit Account No. 501447.

Respectfully submitted,

Kathleen W. Geiger

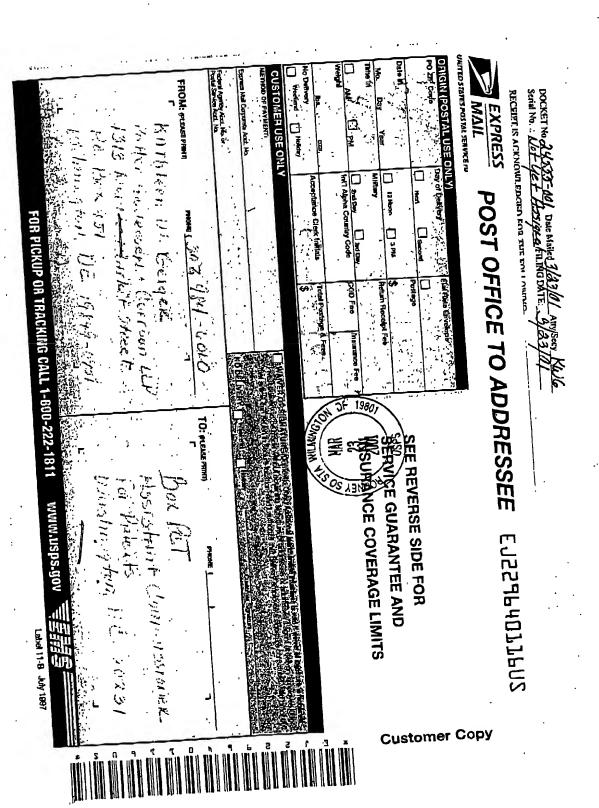
Reg. No.: 35,880

Date: \_\_\_\_\_

POTTER ANDERSON & CORROON LLP Hercules Plaza 1313 North Market Street P.O. Box 951 Wilmington, DE 19899-0951 Telephone: (302) 984-

Facsimile: (302) 658-1192

### **EXHIBIT A**



#### **EXHIBIT B**

DOCKET No 24235-00/ Date Mailed 3/23/0/ Arry/Sery KWG Serial No .: Not yet 185/944 FILING DATE: 3/23/0/ RECEIPT IS ACKNOWLEDGED FOR THE FOLLOWING:
REPAtent Application under 171 of 25 pages 

Story ☐ Statement to Support Filing (including abstract & claims) 🗆 Diskette Declaration & Power of Atty \_2 pages ☐ Notice of Appeal Decision Transmittal Form \_\_\_\_\_ copies

Drawings \_\_\_ Sheet(s)Figs \_\_\_ to \_\_\_\_

Assignment \_\_\_ pages & Conveyance Cover Sheet

Dinformation Disclosure Statement

PTO-1449 \_\_\_\_ References ☐ Appeal Brief Potition Marie EN 1920 ☐ Status Request IC13 Rec'd PCT/PTO 2 ☐ Issue Fee Transmitted 2000 ☐ Priority Date Iment Orrans. Lir Nail Siege Engoroon, LLP
Police Anderson ☐ Aniendment under ☐ Petition for Extension of Time ☐ Affidavit or Declaration \_\_\_\_ pages 09/806021 ☐ Copy of Notice to File Missing Parts Copy of Notice to Comply Conficue of Mailing DEXPRESS Mail No. ETZZ9646116US Authorization to Charge Dep. Acct.

## PATENT ATTORNEY'S DOCKET NUMBER 24555-001

## TRANSMITTAL LETTER TO THE U.S. DESIGNATED OFFICE (DO/US) - ENTRY INTO NATIONAL STAGE UNDER 35 USC 371

INTERNATIONAL APP. NO. INTERNATIONAL FILING DATE PRIORITY DATE CLAIMED PCT/JP99/05023 14 September 1999 25 September 1998

TITLE OF INVENTION
METHOD OF PREVENTING CONTAMINATION OF CANVAS USED IN PAPER
MACHINE

APPLICANT(S) FOR DO/US Kunio SEKIYA

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231
ATTENTION: DO/US

## CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this Transmittal Letter, Form PTO 1390 and the papers indicated as being transmitted therewith, and Post Card are being deposited with the United States Postal Service on this date March 23, 2001 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number <u>EJ229640116US</u> addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

(Typed or printed name of person mailing paper)

(Signature of person mailing paper)

P. 1

\* \* COMM CATION RESULT REPORT ( MAY. 15. 2( · 10:04AM ) \* \*

TTI POTTER ANDERSON & CORROON LLP

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RESULT

PAGE

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G3-AT: 1447#24555\*001##17033053230# OK

64/64

#### **EXHIBIT C**

REASON FOR ERRORD OR LINE FAIL

E-2 NO FACEIMILE CONNECTION

#### POTTER ANDERSON & CORROON LLP

HERCULES PLAZA.
1313 NORTH MARKET STREET
P. O. BOX 951
WILMINGTON, DELAWARE 19899-0951
VOICE: (302) 984-6000
FAX: (302) 658-1192

**DATE: MAY 15, 2001** 

G FOR YOUR INFORMATION

#### FACSIMILE TRANSMITTAL SHEET

PROMI PHONE NUMBER: PHONE NUMBER: PROMI 703-305-3230 703-305-3619

PROMI PHONE NUMBER: EMAIL: Suzanne M. Gannon (302) 984-6010 sgannon@pacdebware.com

NUMBER OF PAGES: CHARGE FILE NUMBER: OPERATOR: 24555-001 Sue Gannon

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NOTES/COMMENTS

MURGENT

Dear Donna:

OFOR REVIEW

Attached please find a copy of the 09/806,021 Patent Application missing from the USPTO. Your prompt attention in this matter is greatly appreciated.

Should you have any questions, please feel free to contact me.

Thanks.

THE INFORMATION CONTAINED IN THIS FACSIMILS MESSAGE IS PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN BRROK, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE, THANK YOU.

NO. 4507

P. 10

EXHIBIT D

UNITED STATES D RTMENT OF COMMERCE Patent and Trademark office

Address: ASSISTANT COMMISSIONER FOR PATENTS Box PCT

DATE MAILED:

Washington, D.C. 20231

TO TATES OF SET PIRST NAMED APPLICANT ATTY, DOCKET NO. 24555-001
INTERNATIONAL APPLICATION NO. SEKIYA 09/486483 POTTER ANDERSON & CORROON PCT/JP99/05023 HERCULES PLAZA 1313 NORTH MARKET STREET LA FILING DATE PRIORITY DATE PO BOX 951 WILMINGTON, DE 19899-0951 14 SEP 1999 25 SEP 1998

Potter Anderson & Corroon, LLP

16 MAY 2001

### NOTICE OF CANCELLATION OF ASSIGNED SERIAL NUMBER

Documents filed under 35 U.S.C	. 371 to enter the nations	I stage before the US Designa	ted/Elected Office were
received by the U.S Patent and Trademark Office on		23 MARCH 2001	and assigned serial
number00/806021		<b>*</b> (*)	
Documents filed later under 35 L  16 MAY 2001 (Fax)			n
The assigned serial number number should be used when fili	09/806021 ng papers in the Patent a	, has been cancelled and nd Trademark Office.	other assigned serial
Note: The original papers filed been placed in application inconvience.	the office on 23 March 2 09/485483. For future f	001 have been misplaced and ilings, please use serial no. 09	I the faxed copies have 9/486483. Sorry for any

Applicant will be receiving further communications concerning 35 U.S.C. 371 in due course.

Applicant is reminded that any communication mailed to the United States Patent and Trademark Office must be directed to the address and include the U.S. application no. show in the heading above (37 CFR 1.5)

Telephone: 703 305-3619

FORM PCT/DO/EO/908 (September 1993)

## **EXHIBIT E**

HARRY STARK R.		_	•	
09/4864	AND TRADEMARK OPPICE	Uni	Commissioner for Patents, Box F trad States Patent and Trademark Of Warrington, O.C. 20	
U.S. APPLICATION NO.	PIRST NAMED APPLICANT		ATTY, DOCKET NO.	
097498,483	SEKIYA	К	24555-001	
•		INTERNAT	OMAL APPLICATION NO.	
POTTER ANDERSON & HERCULES FLAZA 1313 NORTH MARKET F O BOX 951 WILMINGTON DE 1989	CORRUUN FCC.	P	PCT/JP99/05023	
	CORRUUN AUG U 5 2001 STREET ANGERON & CONTON CACCEPTANCE OF APPLICAT	1.4. FILING DAT	F PRIGRITY DATE	
		09/1	4/99 09/25/9	
NOTHER ATTON OF	and was	DATE MAIL	<sup>80</sup> ' 08/01/01 '	
NOTIFICATION OF	AND 37 CER 1.494-OR 1	TION UNDER 3	35 U.S.C. 371	
Designated Office (37 CFR 1.494) international application has met di examination in the United States P		b), has determined the is ACCEPTED for	at the above-lifentified rational parentability	
2. The United States Application  DATE OF RECE 35 U.S.C. 371(c)(1), (c)(2) an		shown above and the CF RECEIPT OF S.C. 371 REQUIRE	PALL	
U.S.C. 371 REQUIREMENTS I  The filling date of the above-identit	to issued for the present application in THE "FILING DATE" IS THE DA HAS BLEN RECEIVED IN THE OF Med application is the international film. Once the Filing Receipt has been rec	TE ON WHICH TO FICE. THIS DAT:	HE LAST OF THE 35 E IS SHOWN ABOVE.	
3. A request for immediate examined in tur	samination under 35 U.S.C. 371(f) was n.	received on 40	April OO and the	
4. The following items have been U.S. Basic National Fee.		٠		
Copy of the international a				
	ional application into English.			
Oath or Declaration of inv				
	ments. Translation of Article 19 am		sh.	
The Incomplete No. 1	endments have not been entere	<b>d.</b>		
Inc International Preliming	ary Examination Report in English and	its Annexes, if any.		
	e International Preliminary Examination	n Report (IPER).		
	Annexes to the IPER into English.			
The Annexes have				
Preliminary amendment(s)				
Information Disclosure Sta	tement(s) filed 4 april 00 a	nd	<b>_·</b>	
Assignment document.				
Power of Attomey and/or				
Substitute specification file			•	
Indication of Small Entity	Status.			
Priority Document.	-			

#### **EXHIBIT F**



#### United States Patent and Trademark Office

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WWW.uspto.gov

APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTY.DOCKET.NO | DRAWINGS | TOT CLAIMS | IND CLAIMS | 09/486,483 | 04/04/2000 | 1731 | 1178 | 24555-001 | 9 | 7 | 4

**CONFIRMATION NO. 6972** 

26691
POTTER ANDERSON & CORROON LLP
ATTN: SUZANNE GANNON
1313 NORTH MARKET STREET
P.O. BOX 951
WILMINGTON, DE 19899-0951

Date Mailed: 08/22/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Kunio Sekiya, Tokyo, JAPAN;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A 371 OF PCT/JP99/05023 09/14/1999

Foreign Applications

JAPAN JP10/288945 09/25/1998

Projected Publication Date: N/A

Non-Publication Request: No

Early Publication Request: No

Title

Pollution prevention method for canvas used in paper machine

**Preliminary Class** 

OCT. 11. 2001 11:06AM

POTTS R ANDERSON & CORROON LLP

NO. 4507 P. 13

Page 2 of 4

162

Data entry by : NGUYEN, SON

Team : OIPE

Date: 08/22/2001

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## LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

#### **GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

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#### **NOT GRANTED**

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#### PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 500 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filling date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filling Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to;

NO. 4507 P. 15

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